



ESTES PARK
COLORADO

Estes Valley Variances



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WHERE DO I START?

Contact the Community Development Department to discuss your idea with a planner. This will help you understand what a variance is, how to apply, and what your chances of success are. From there, a pre-application meeting will be scheduled (see "Pre-Application Meeting" handout).

At the pre-application meeting, staff will meet with you to discuss the review process, timeframe, and costs.

WHAT IS A VARIANCE?

A variance is a request to vary from the adopted standards in the Estes Valley Development Code (EVDC).

The most common variance request is for a setback from a property line.

Some variances are so small they are called 'minor modifications.' An example is to allow a building to encroach one or two feet into the required setback (see "Minor Modification" handout).

WHO CAN APPROVE MY REQUEST?

The Estes Valley Board of Adjacent reviews all variance requests. The Board is the final decision making body, and any appeals to its decision is to District Court.

This meeting is an open public hearing, advertised in the paper, with neighbor notification.

WHAT ARE THE REVIEW STANDARDS?

Section 3.6.C of the EVDC outlines the standards for review.

These require that special circumstances exist, and that they will result in practical difficulty if strictly enforced.

NEIGHBORHOOD IMPACT

Because a variance is a request to vary from the adopted rules, the impact on the neighborhood is carefully considered, and neighbor opposition can be a formidable barrier to approval.

Staff recommends you discuss your request with your neighbors to determine if it will have a negative impact.

CAN I DO THIS MYSELF?

Staff recommends you hire a professional consultant to foster your request through the review process.

Property owners are free to work through the process on their own, but should know that scale drawings are required (site plan, building plans).

The site plans must include information such as property lines, building location, drainages, significant trees or rock-outcroppings, wetlands/rivers, and utility locations. Due to the complexity, staff recommends you hire a qualified designer to prepare your plans.

Surveyors are required for field verification of approved setback and height variances (see "Surveyor's Certificate" handout).

HOW LONG WILL THIS TAKE?

Most variances are processed in 6-8 weeks. You can find our review schedules on our webpage.

Submittal deadlines are the fourth Wednesday of the month, and the Board meeting is the first Tuesday two months later.

For example, if you submit at the end of January, the meeting would be at the beginning of March.

TOWN OF ESTES PARK PLANNING DIVISION

170 MACGREGOR AVE. | P.O. BOX 1200 | ESTES PARK, CO 80517 | PH. 970-577-3721 | FAX 970-586-0249 | WWW.ESTES.ORG

HOW MUCH WILL THIS COST?

1. Please refer to the Estes Valley Development Review Fee Schedule for current application fees. Variances applied for after construction have higher filing fees.
2. This nonrefundable helps recover processing costs such as newspaper ad, neighbor mailings, and staff review.
3. Most people will need to hire a qualified professional to prepare a site plan and building plans.
4. Your property line and building location will need to be field staked before the meeting.
5. A surveyor will need to submit a surveyor certificate for all setback variances (see "Surveyors Certificate" handout). This is to document compliance with the approved variance. Consult with a surveyor to determine cost.

WHAT ARE MY CHANCES OF SUCCESS?

Each situation is unique. Therefore, each variance is evaluated based on its own special circumstances and neighborhood impact.

Requests in keeping with neighborhood character have a greater chance of approval than those out of character.

Requests with special circumstances such as slope, lot shape, or environmental considerations have a greater chance of approval than those that do not have special circumstances.

Height variances are difficult to get approved, and staff almost always recommends disapproval. This is because Section 1.9.E provides flexibility for building height.

Note: This information was summarized from Estes Valley Development Code Section 3.6 *Variances*. These regulations are available on our website www.estes.org.

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